

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

WEBSITES

Main website: www.energy.ca.gov

Children's website: www.energyquest.ca.gov

Consumer Information: www.ConsumerEnergyCenter.org



April 20, 2007

By Certified Mail, Return Receipt Requested

Honorable Samuel W. Bodman, Secretary
United States Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585

**Notice of Civil Suit Under 42 U.S.C. Sections 6295(g)(2), 6297(d), and 6305(a)(2),
Challenging DOE's Denial of California's Clothes Washer Waiver Petition
(DOE Docket No. EE-RM-PET-100)**

Dear Secretary Bodman,

On December 28, 2006, the U.S. Department of Energy ("DOE") denied the California Energy Commission's ("CEC") Petition for Exemption from Federal Preemption of California's Water Conservation Standards for Residential Clothes Washers. 71 Fed. Reg. 78,157 (Dec. 28, 2006). On February 28, 2007, DOE denied, by operation of law, California's Request for Reconsideration of DOE's denial. See 10 C.F.R. § 430.48(c).

The CEC hereby notifies you, pursuant to 42 U.S.C. § 6305(b)(2), that 60 days after you have received this letter, the CEC will bring a civil action to overturn the denial, under 42 U.S.C. §§ 6295(g)(2), 6297(d), and 6305(a)(2).

We will also seek to overturn the denial under 5 U.S.C. § 502 (Administrative Procedure Act) 28 U.S.C. § 1331 (federal question jurisdiction), 42 U.S.C. §§ 6305(e) (preservation of other relief) and 6306(b) (review of rules in the courts of appeals), and any other applicable judicial review provision.

Please contact Jonathan Blee at JBLEES@energy.state.ca.us if you have questions.

Sincerely,



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